

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 3RD DAY OF APRIL 1998

BEFORE

THE HON'BLE MR.JUSTICE H.N.NARAYAN

CIVIL REVISION PETITION NO: 1161/1998

Smt. Bhagirathi Mahabaleshwar Naik,
aged 50 years, resident of
Makheri Karwar TO,
North Karnataka Dist,

...PETITIONER.

(By Sri.V.P.Kulkarni, Adv, for petr,)

v/s

1.Sri.Vasant Mahabaleshwar Kamat,
C/o M.G.Kamat, M/B, 12 Housing
Board Colony,
Bayana, Vasco, Goa.

2. New India Insurance Company,
Bayana, Vasco,
Goa.

...RESPONDENTS.

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Civil Revision Petition is filed U/s 115 of
CPC against the order dt:27.3.1998, passed in
M.V.C. NO:86/92, on the file of the Dist, Judge &
Member MACT, Karwar.

...2...

This Civil Revision Petition coming on for hearing this day, the Court made the following:-

O R D E R

The MACT, Karwar has allowed the claim petition in part filed by the petitioner on account of the ^{death}~~death~~ of her husband in a motor accident. A total compensation of Rs.1,41,300/- has been awarded by the MACT. Further, a sum of Rs.70,000/- has been directed to deposit in the name of the first petitioner with permission to withdraw interest that accrues on the said deposit. She has thereafter made an application before the Tribunal pleading for release of the said amount for performing the marriage of her first daughter, the 2nd petitioner. The marriage is fixed on 9.4.1998. The tribunal has rejected this application as unreasonable. But to my mind, the order of the MACT is not justifiable, having regard to the special request made by the petitioner.

to release the amount. Petitioner has produced the wedding card of her daughter to show that she is performing the marriage of her daughter and that the amount is required for genuine necessity and she is not squandering the money for any other purpose. In view of the above, the revision is allowed. The Tribunal is directed to release the amount.

Sd/-

JUDGE.

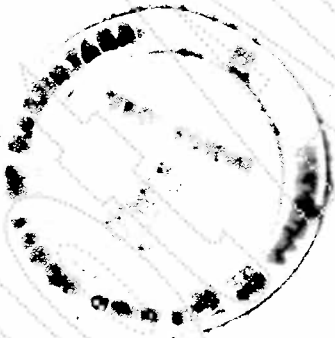
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Assistant Registrar
High Court of Karnataka
Bangalore-560 001
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